IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE CIVIL JURISDICTION

SUO MOTU CONTEMPT PETITION NO.1 OF 2005

Ganesh Kishanrao Kople).. Contemnor

Versus

Kavadu Tulasya Khandale).. Accused

Contemnor present in person.

Mr.A.Q.Ansari for the Accused/Respondent.

Mrs.P.H.Kantharia, A.P.P. for the State.

CORAM: H.L. GOKHALE AND S.P. KUKDAY, JJ.

DATED: 22ND JUNE 2005

P.C.:

. The Complainant Ganesh Kishanrao Kople is present. The accused Mr.Khandale is also present. The learned Judge of the Special Court had directed an action in contempt against the Respondent-accused for not being available on the addresses where he was supposed to be available. This created problems for service of summons. We quite understand the anxiety of the learned Judge whereby he has requested this Court to take action against the Respondent. The Respondent has, however, filed an affidavit stating that he will remain present at Santacruz Police Station as may be directed by this Court. This will take care of the problem which is faced by the Complainant as well as by the learned Judge. We,

therefore, direct that the Respondent will remain present at Santacruz Police Station on every Monday and Thursday between 11.00 a.m. and 12.00 noon. We make it clear that in the event he is not available on any or these days and if the service fails, it will be open for the Complainant to bring it to the notice of the learned Judge where ever his proceedings are pending and where after a strict action would be taken. The learned Judge of the Special Court is requested to send the notices/summonses meant for the Respondent accused at the address of Santacruz Police Station. Contempt Petition disposed of.

(H.L. GOKHALE, J.)

(S.P. KUKDAY, J.)